

EPA-R5-2014-007898-1

Sarah Marshall /R5/USEPA/US

02/28/2012 12:15 PM

To Chad McEvoy, Jaime Wagner, Jesse McGrath, Kathleen Schnieders, Michael Rizzo,
Motria Caudill

cc

bcc

Subject 114 discussion with Peabody - hold this time. We are waiting to confirm with Peabody

This was the only day that Peabody was available.

EPA-R5-2014-007898-2

Sarah Marshall /R5/USEPA/US

03/05/2012 11:51 AM

To Chad McEvoy, Jaime Wagner, Jesse McGrath, Kathleen Schnieders, Michael Rizzo,
Motria Caudill

cc

bcc

Subject 114 discussion with Peabody - hold this time. We are waiting to confirm with Peabody

We are on for the call today. See everyone at 1:00.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

EPA-R5-2014-007898-3

Sarah Marshall /R5/USEPA/US

03/05/2012 12:15 PM

To Chad McEvoy, Jaime Wagner, Jesse McGrath, Kathleen Schnieders, Michael Rizzo,
Motria Caudill

cc

bcc

Subject Cancelled: 114 discussion with Peabody - hold this time. We are waiting to confirm
with Peabody

EPA-R5-2014-007898-4

Jesse McGrath /R5/USEPA/US

03/05/2012 12:21 PM

To Sarah Marshall

cc Chad McEvoy, Jaime Wagner, Kathleen Schnieders, Michael Rizzo, Motria Caudill

bcc

Subject Re: 114 discussion with Peabody - hold this time. We are waiting to confirm with Peabody

I have a later message that this is cancelled. Which message do I obey?

Sarah Marshall [We are on for the call today. See everyone at 1:00. Sarah Marshall E...](#) 03/05/2012 11:51:38 AM

From: Sarah Marshall/R5/USEPA/US
To: Chad McEvoy/R5/USEPA/US@EPA, Jaime Wagner/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA, Michael Rizzo/R5/USEPA/US@EPA, Motria Caudill/R5/USEPA/US@EPA
Date: 03/05/2012 11:51 AM
Subject: 114 discussion with Peabody - hold this time. We are waiting to confirm with Peabody

We are on for the call today. See everyone at 1:00.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

EPA-R5-2014-007898-5

Sarah Marshall /R5/USEPA/US

03/05/2012 12:22 PM

To Jesse McGrath

cc Chad McEvoy, Jaime Wagner, Kathleen Schnieders, Michael Rizzo, Motria Caudill

bcc

Subject Re: 114 discussion with Peabody - hold this time. We are waiting to confirm with Peabody

It is cancelled. sorry

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Jesse McGrath

[I have a later message that this is cancelled. Which message do I obe...](#)

03/05/2012 12:21:05 PM

From: Jesse McGrath/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA
Cc: Chad McEvoy/R5/USEPA/US@EPA, Jaime Wagner/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA, Michael Rizzo/R5/USEPA/US@EPA, Motria Caudill/R5/USEPA/US@EPA
Date: 03/05/2012 12:21 PM
Subject: Re: 114 discussion with Peabody - hold this time. We are waiting to confirm with Peabody

I have a later message that this is cancelled. Which message do I obey?

Sarah Marshall

[We are on for the call today. See everyone at 1:00. Sarah Marshall E...](#)

03/05/2012 11:51:38 AM

From: Sarah Marshall/R5/USEPA/US
To: Chad McEvoy/R5/USEPA/US@EPA, Jaime Wagner/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA, Michael Rizzo/R5/USEPA/US@EPA, Motria Caudill/R5/USEPA/US@EPA
Date: 03/05/2012 11:51 AM
Subject: 114 discussion with Peabody - hold this time. We are waiting to confirm with Peabody

We are on for the call today. See everyone at 1:00.

Sarah Marshall

Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

EPA-R5-2014-007898-6

Jaime Wagner/R5/USEPA/US

03/13/2012 10:13 AM

To Sarah Marshall

cc Chad McEvoy, Jesse McGrath, Kathleen Schnieders, Michael Rizzo, Motria Caudill

bcc

Subject Re: Peabody 114 issues

Hi Sarah,

I don't remember what the final outcome was of our modeling discussion, but as I'm sure you recall, Cheryl and Keith had a discussion about whether modeling a mine with AERMOD's open pit algorithm was appropriate. As I've said, I've never used this source type (and we don't have much Regional experience with it, either), but it does exist as an option in AERMOD (which indicates to me that it is considered a valid option at least some of the time, Chet Wayland's comments notwithstanding). However, I know this was a serious sticking point with Indiana, and I don't know enough about modeling open pit sources to know if their concerns are valid. I attempted to contact one of the OAQPS modelers to see if they agree with Indiana, but this week is the national Conference on Air Quality Models. As the OAQPS modelers are hosting, I don't expect a timely response.

As I said previously, I don't really have a problem with them not modeling this source and relying on wind roses for siting. Low-level fugitive sources like these are generally driven mostly by wind direction and proximity rather than the more complex dispersion factors that would affect stacks (or fugitives emitted higher above the ground). Modeling, in this instance, may not provide much information beyond what we could get from a wind rose. I'm not sure it's worth pursuing, but of course that's your call.

Jaime

Sarah Marshall

Since Peabody is taking forever to get this call rescheduled and I am I...

03/12/2012 02:06:25 PM

From: Sarah Marshall/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA, Motria Caudill/R5/USEPA/US@EPA, Michael Rizzo/R5/USEPA/US@EPA, Jaime Wagner/R5/USEPA/US@EPA
Cc: Kathleen Schnieders/R5/USEPA/US@EPA
Date: 03/12/2012 02:06 PM
Subject: Peabody 114 issues

Since Peabody is taking forever to get this call rescheduled and I am leaving the country on Thursday, Kaki and I have decided that we are going to send them a letter with our concerns instead of trying to set up a call that they keep delaying.

Attached is a list of the issues we had with the 114. Please fill in any missing information you think we should include. Kaki is going to insert this into a letter to send to them. We hope to get this out quickly so provide us your comments as soon as you can. Make sure you send your comments to Kaki also since she will be turning this into the letter and I will not be in the office after tomorrow.

[attachment "Peabody 114 issues.docx" deleted by Jaime Wagner/R5/USEPA/US]

Thanks!

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

EPA-R5-2014-007898-7

Sarah Marshall /R5/USEPA/US

04/09/2012 09:41 AM

To Chad McEvoy, Jaime Wagner, Jesse McGrath, Kathleen Schnieders, Michael Rizzo,
Motria Caudill

cc

bcc

Subject Peabody letter discussion

Meeting

Date 04/16/2012

Time 10:00:00 AM to 11:00:00 AM

Chair Sarah Marshall

Invitees

Required Chad McEvoy; Jaime Wagner; Jesse McGrath; Kathleen Schnieders;
Michael Rizzo; Motria Caudill

Optional

FYI

Location

EPA-R5-2014-007898-8

Kathleen Schnieders /R5/USEPA/US

04/18/2012 09:15 AM

To Sarah Marshall

cc Chad McEvoy, Jaime Wagner, Jesse McGrath, Michael Rizzo, Motria Caudill

bcc

Subject call with Peabody Monday am, 4/23 ?

Hi All -

Peabody can talk about our open issues this Monday morning, and I am wondering if we can get a critical mass together? I think neither Jaime nor Motria needs to participate at this point, but you are certainly welcome.

-Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-9

Sarah Marshall /R5/USEPA/US

04/18/2012 09:17 AM

To Kathleen Schnieders

cc Chad McEvoy, Jaime Wagner, Jesse McGrath, Michael Rizzo, Motria Caudill

bcc

Subject Re: call with Peabody Monday am, 4/23 ?

My travel just got cancelled for Monday so I am wide open right now.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Kathleen Schnieders

Hi All - Peabody can talk about our open issues this Monday morning,...

04/18/2012 09:15:05 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA
Cc: Chad McEvoy/R5/USEPA/US@EPA, Jaime Wagner/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Michael Rizzo/R5/USEPA/US@EPA, Motria Caudill/R5/USEPA/US@EPA
Date: 04/18/2012 09:15 AM
Subject: call with Peabody Monday am, 4/23 ?

Hi All -

Peabody can talk about our open issues this Monday morning, and I am wondering if we can get a critical mass together? I think neither Jaime nor Motria needs to participate at this point, but you are certainly welcome.

-Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-10

Chad McEvoy/R5/USEPA/US

04/23/2012 09:44 AM

To Sarah Marshall

cc Jesse McGrath

bcc

Subject Re: Fw: call with Peabody

I thought the call went really well, and had only one small thing: the meteorological monitoring wasn't mentioned specifically, so I'm guessing it's not a point of contention.

When their monitoring plan comes through we'll want to keep an eye out for it though.

And are we still considering checking the sites at some point once they are established?

Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

-----Sarah Marshall/R5/USEPA/US wrote: -----

To: Chad McEvoy/R5/USEPA/US@EPA

From: Sarah Marshall/R5/USEPA/US

Date: 04/23/2012 07:20AM

Subject: Fw: call with Peabody

Did Kaki invite you to this? I pointed out to her that she had the wrong Chad but wanted to make sure you knew about this.

Sarah Marshall

Environmental Engineer

Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency, Region 5

312-886-6797

----- Forwarded by Sarah Marshall/R5/USEPA/US on 04/23/2012 07:20 AM -----

call with Peabody

Mon 04/23/2012 9:00 AM - 10:00 AM

Attendance is for Sarah Marshall

Chair: **Kathleen Schnieders/R5/USEPA/US**

Rooms: R1710A/R5 Metcalfe - 17th Floor@EPA

Required: Chad mce/AA/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Sarah Marshall/R5/USEPA/US@EPA

[Description](#) **Personal Notes**

EPA-R5-2014-007898-11

Kathleen Schnieders /R5/USEPA/US

04/25/2012 11:39 AM

To Sarah Marshall, Chad McEvoy, Jesse McGrath

cc

bcc

Subject Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

FYI

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 04/25/2012 11:38 AM -----

From: Kathleen Schnieders/R5/USEPA/US
To: "Watson, John W" <John.Watson@bakermckenzie.com>
Date: 04/25/2012 11:38 AM
Subject: RE: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

John -We are still going over some details internally, so please don't assume our assent just yet. I'll try to get back to you by the end of the day.

-Kathleen

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

"Watson, John W"

Hey Kathleen. I have not heard from you on my follow-up note on the...

04/25/2012 11:36:23 AM

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA
Date: 04/25/2012 11:36 AM
Subject: RE: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Hey Kathleen. I have not heard from you on my follow-up note on the Monitoring Plan. I assume this meets with the Agency's approval since we have adopted your recommendations, but wanted to make certain as we finalize the revised draft of the Monitoring Plan. Let me know. Thank you.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

Our offices have moved. Please note our new address.

From: Watson, John W
Sent: Monday, April 23, 2012 4:58 PM
To: Kathleen Schnieders
Subject: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

The Peabody technical team has conferred on your proposal regarding monitoring equipment to be installed at the site. Given the Agency's insistence upon the need for at least one continuous monitor, Peabody is concerned about the integrity of the upwind and downwind data comparisons if there are different types of monitors employed at different locations at the site. As such, Peabody is prepared to proceed with the installation of three continuous monitors at the three sampling locations as originally proposed by the Agency. In terms of the length of the monitoring period, Peabody will collect four months of monitoring data using the approved monitors. This data will be submitted to EPA in Xcel format within 21 days of the end of each monthly monitoring event. After the four month monitoring period expires, Peabody will commit to a follow-up meeting/discussion with EPA within 30 days of transmittal of the final month's monitoring data to discuss the results of the monitoring and the need for and appropriateness of any additional monitoring consistent with our discussion today. The monitors will continue to remain at the site pending the outcome of such discussions, but no additional monitoring will occur beyond the fourth month unless the parties agree otherwise.

Please confirm that this proposal is acceptable to the Agency. We will provide you with a revised Monitoring Plan by Friday or, at the very latest, first thing on Monday of next week.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

Our offices have moved. Please note our new address.

Effective January 17, 2012, Baker & McKenzie's Chicago office will be located at:

300 East Randolph Street, Suite 5000
Chicago, IL 60601, USA

Telephone and fax numbers will not change.

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EPA-R5-2014-007898-12

Chad McEvoy/R5/USEPA/US

04/25/2012 01:53 PM

To Kathleen Schnieders

cc Jesse McGrath, Sarah Marshall

bcc

Subject Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Sarah and Kaki-

Do you have a couple of minutes to get together? I think I can explain this better in person rather than email. I'm free all day till I leave at 3:30

FYI Jesse went home sick

Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

EPA-R5-2014-007898-13

Sarah Marshall /R5/USEPA/US

04/27/2012 10:55 AM

To Chad McEvoy, Jesse McGrath, Kathleen Schnieders

cc

bcc

Subject Call with Peabody

Meeting

Date 04/30/2012

Time 10:00:00 AM to 11:00:00 AM

Chair Sarah Marshall

Invitees

Required Chad McEvoy; Jesse McGrath; Kathleen Schnieders

Optional

FYI

Location

EPA-R5-2014-007898-14

Bilal Qazzaz/R5/USEPA/US

04/27/2012 01:33 PM

To Jesse McGrath, Chad McEvoy

cc

bcc

Subject Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Jesse and Chad-

1. Is this site considered a Prevention of Significant Deterioration site?
2. Are these manual or continuous methods?
3. Is the FRM the designated the primary or the audit monitor?

Bilal Qazzaz
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 353-2325

Jesse McGrath

Forwarding this to Bi since he might know off-hand. ----- Forwarded by...

04/25/2012 09:34:03 AM

From: Jesse McGrath/R5/USEPA/US
To: Bilal Qazzaz/R5/USEPA/US@EPA
Cc: Chad McEvoy/R5/USEPA/US@EPA
Date: 04/25/2012 09:34 AM
Subject: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Forwarding this to Bi since he might know off-hand.

----- Forwarded by Jesse McGrath/R5/USEPA/US on 04/25/2012 09:32 AM -----

From: Chad McEvoy/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA
Cc: Sarah Marshall/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA
Date: 04/25/2012 09:31 AM

Subject: Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

I'm in the middle of something else now, but would like some time to check something out. Basically, we asked them to follow cfr too. CFR has requirements for collocation, and what kind of pairings are required. My knowledge on the regs for PM10 are a little rusty and I want to look over them a little. If it were PM2.5 they would have to collocate an FRM with the FEM in the "network" they believe will be the highest reading site. I can't remember what the PM10 collocations are, but depending on what cfr says all this wrangling may be for naught.

Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

Jesse McGrath	Peabody is concerned about the integrity of the upwind and downwind...	04/25/2012 09:22:55 AM
---------------	--	------------------------

From: Jesse McGrath/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA
Cc: Kathleen Schnieders/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 04/25/2012 09:22 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Peabody is concerned about the integrity of the upwind and downwind data comparisons if there are different types of monitors employed at different locations at the site

Different methods shouldn't really be an issue -- the methods are considered equivalent -- but if they want to do all continuous that's fine.

This data will be submitted to EPA in Xcel format within 21 days of the end of each monthly monitoring event.
That's fine with me.

The monitors will continue to remain at the site pending the outcome of such discussions, but no additional monitoring will occur beyond the fourth month unless the parties agree otherwise.

In the call I thought we agreed that they would continue monitoring while we reviewed the data and if we can get that that's fine. The continuous monitors don't cost a lot to run once they're going so it shouldn't be a huge issue.

I suspect that they want to use all FEMs now because they believe it will help them contest any violations that occur. I doubt it will. FEMs are supported by the agency, and PM10 FEMs are not known to have the issues that PM2.5 FEMs do. I think any violations will be well above the standard so that kind of hair-splitting won't help them anyway.

Sarah Marshall	I don't know that we want them to stop monitoring until we have had a...	04/25/2012 09:04:41 AM
----------------	--	------------------------

From: Sarah Marshall/R5/USEPA/US
To: Kathleen Schnieders/R5/USEPA/US@EPA
Cc: Chad McEvoy/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Sarah Marshall/R5/USEPA/US@EPA
Date: 04/25/2012 09:04 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

I don't know that we want them to stop monitoring until we have had a chance to review all the data and discuss. I would want them to continue operation of the monitors until we tell them otherwise.

I got a call from a resident yesterday about how bad it has been and how much dust they have coming on their property. These residents live across the street from the access road to the current pit. I think they are just south of the northern downwind monitoring site. He did tell me that Peabody has cleared some trees up the road from him for the monitors but they have been trying for three years to get monitoring data.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Kathleen Schnieders

Is this better or worse? ----- Kathleen Kelly Schn...

04/25/2012 08:56:31 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 04/25/2012 08:56 AM
Subject: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Is this better or worse?

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 04/25/2012 08:55 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA
Date: 04/23/2012 04:58 PM
Subject: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

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insistence upon the need for at least one continuous monitor, Peabody is concerned about the integrity of the upwind and downwind data comparisons if there are different types of monitors employed at different locations at the site. As such, Peabody is prepared to proceed with the installation of three continuous monitors at the three sampling locations as originally proposed by the Agency. In terms of the length of the monitoring period, Peabody will collect four months of monitoring data using the approved monitors. This data will be submitted to EPA in Xcel format within 21 days of the end of each monthly monitoring event. After the four month monitoring period expires, Peabody will commit to a follow-up meeting/discussion with EPA within 30 days of transmittal of the final month's monitoring data to discuss the results of the monitoring and the need for and appropriateness of any additional monitoring consistent with our discussion today. The monitors will continue to remain at the site pending the outcome of such discussions, but no additional monitoring will occur beyond the fourth month unless the parties agree otherwise.

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Partner
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Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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EPA-R5-2014-007898-15

Kathleen Schnieders /R5/USEPA/US

04/30/2012 09:35 AM

To Sarah Marshall, Chad McEvoy, Jesse McGrath

cc

bcc

Subject our call in # for Peabody.

Please use the following call in number for our Monday morning call to discuss outstanding issues associated with Peabody Midwest Mining's proposed Dust Monitoring Plan in response to EPA's Section 114 Request for Information.

Call in Number - 866-370-6755

Conf ID Number - 3128612646

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-16

Chad McEvoy/R5/USEPA/US

04/30/2012 10:02 AM

To Kathleen Schnieders

cc Jesse McGrath, Sarah Marshall

bcc

Subject Re: our call in # for Peabody.

thanks, I'm on the line

Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

-----Kathleen Schnieders/R5/USEPA/US wrote: -----

To: Sarah Marshall/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA
From: Kathleen Schnieders/R5/USEPA/US
Date: 04/30/2012 09:35AM
Subject: our call in # for Peabody.

Please use the following call in number for our Monday morning call to discuss outstanding issues associated with Peabody Midwest Mining's proposed Dust Monitoring Plan in response to EPA's Section 114 Request for Information.

Call in Number - 866-370-6755
Conf ID Number - 3128612646

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-17

Chad McEvoy/R5/USEPA/US

05/14/2012 12:39 PM

To Kathleen Schnieders

cc Sarah Marshall, Jesse McGrath

bcc

Subject Re: Fw: Peabody Midwest Mining - Bear Run Section 114 Dust Monitoring Plan

Jesse is Denver for a conference, and may not respond. I checked page ten to understand what Jesse is raising. I think he's talking about keeping the filter before it's sent for weighing:

I don't think holding the filter for two weeks is a big deal- I'm not certain but I don't think it's a requirement the way it is for PM2.5. The longer they hold it the harder it will be to get the data, but they say they'll have it to us by the 21st, so they can't hold it too long.

But page 10 also mentions archiving. Archiving the filters for two years should be sufficient.

I don't have an issue with what they've proposed....

Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

Kathleen Schnieders

Jesse (or Chad) - can you give us the answers to Sarah's questions?...

05/14/2012 09:15:59 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA
Cc: Jesse McGrath/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 05/14/2012 09:15 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run Section 114 Dust Monitoring Plan

Jesse (or Chad) - can you give us the answers to Sarah's questions? We really need to get back to the company.

Thanks,
Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

Sarah Marshall

What should the holding time be? Is this a big issue? We would like t...

05/10/2012 11:59:03 AM

From: Sarah Marshall/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA
Cc: Kathleen Schnieders/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 05/10/2012 11:59 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run Section 114 Dust Monitoring Plan

What should the holding time be? Is this a big issue? We would like to get back to them and move things forward.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Jesse McGrath

Page 1. This should probably have a reference to the CFR, rather tha...

05/10/2012 10:17:31 AM

From: Jesse McGrath/R5/USEPA/US
To: Kathleen Schnieders/R5/USEPA/US@EPA
Cc: Chad McEvoy/R5/USEPA/US@EPA, Sarah Marshall/R5/USEPA/US@EPA
Date: 05/10/2012 10:17 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run Section 114 Dust Monitoring Plan

Page 1. This should probably have a reference to the CFR, rather than the handbooks which are unofficial summaries of the CFR. I think in our 114 we say they have to follow the CFR.

Page 10. I am not sure what the allowed holding time for PM10 filters is. They say they will send them on a 2-week basis, which might be too long.

They have the met tower at the upwind site, which is probably fine and it looks like they're using decent met equipment. I am not sure if we required pressure and rainfall but they might end up being useful.

Kathleen Schnieders

Hi Team - Can you each take a look at the attached and let me know i...

05/07/2012 02:18:38 PM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 05/07/2012 02:18 PM
Subject: Fw: Peabody Midwest Mining - Bear Run Section 114 Dust Monitoring Plan

Hi Team -

Can you each take a look at the attached and let me know if it is satisfactory?

Thanks,

Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 05/07/2012 02:17 PM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA
Date: 05/07/2012 01:22 PM
Subject: Peabody Midwest Mining - Bear Run Section 114 Dust Monitoring Plan

Please find attached the revised Fugitive Dust Monitoring Plan and associated figures and appendices submitted on behalf of Peabody Midwest Mining, LLC in response to U.S. EPA's Clean Air Act Section 114 Request for Information for Peabody's Bear Run Mine. The revised Plan reflects changes requested by the Agency in our call last week, including the co-location of one FRM monitor along with the three FEM monitors proposed by Peabody. Peabody has also agreed to continue to operate the monitors after the expiration of the four month monitoring period as explained more fully in the Plan. Attached for your convenience is a redline version of the Plan showing changes from the original proposed Plan.

We trust that this revised Plan will meet with Agency approval. Work has already commenced on Plan implementation to meet the June 15th deadline for commencement of monitoring. I would appreciate written confirmation of Agency approval of the Plan for our files. Thank you.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

Our offices have moved. Please note our new address.

Effective January 17, 2012, Baker & McKenzie's Chicago office will be located at:

300 East Randolph Street, Suite 5000
Chicago, IL 60601, USA

Telephone and fax numbers will not change.

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This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message. Please visit www.bakermckenzie.com/disclaimers for other important information concerning this message. [attachment "Bear Run Mine Fugitive Dust Monitoring Plan-3027614-v1-CHIDMS1 (2).pdf" deleted by Jesse McGrath/R5/USEPA/US] [attachment "WSComparison_Letter - Peabody Midwest Mining - Bear Run Mine (2)-Bear Run Mine Fugitive Dust Monitoring Plan-3027614-v1-CHIDMS1 (2).pdf" deleted by Jesse McGrath/R5/USEPA/US] [attachment "Final Figure1.pdf" deleted by Jesse McGrath/R5/USEPA/US] [attachment "Final BEAR RUN MINE FUGITIVE DUST MONITORING PLAN App A-B.pdf" deleted by Jesse McGrath/R5/USEPA/US]

EPA-R5-2014-007898-18

"Watson, John W"
<John.Watson@bakermckenzie.com>
05/25/2012 10:09 AM

To: Sarah Marshall
cc: Kathleen Schnieders
bcc:
Subject: RE: Bear Run Mine Complaint

Thank you for the additional information. If you have more information on the exact nature of the complaints and the complainants that would be helpful. I will get back to you today with a contact name for future dialogue. I understand that the dragline operation was shut down yesterday due to extremely high winds and corresponding concerns over dust. The mine, however, had not received any complaints from any neighbors. I will report back shortly.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

Our offices have moved. Please note our new address.

From: Sarah Marshall [<mailto:Marshall.Sarah@epamail.epa.gov>]
Sent: Thursday, May 24, 2012 3:40 PM
To: Watson, John W
Cc: Kathleen Schnieders
Subject: Bear Run Mine Complaint

Hi John,

I have been receiving a number of complaints recently about dust coming from the mine. Today I received two about dust blowing onto their property from the mine. It has been noted that today was particularly bad for one resident. Is there someone at the mine to notify of these complaints?

Thanks!

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

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Chicago, IL 60601, USA

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EPA-R5-2014-007898-19

Kathleen Schnieders /R5/USEPA/US

06/04/2012 09:31 AM

To Sarah Marshall, Chad McEvoy, Jesse McGrath

cc

bcc

Subject Fw: Peabody Midwest Mining, LLC - Bear Run Mine - Fugitive Dust Monitoring Plan

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 06/04/2012 09:30 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA
Date: 06/01/2012 03:39 PM
Subject: Peabody Midwest Mining, LLC - Bear Run Mine - Fugitive Dust Monitoring Plan

See draft QAPP for the Bear Run Fugitive Dust Monitoring Plan for your review. As mentioned in the attached cover letter, we are on schedule to commence monitoring on June 15th.

On a related note, in response to your question about a facility contact for any future correspondence on dust complaints, your Agency engineer should communicate with Forrest Crowe who can be reached as follows:

Forrest Crowe

Environmental Engineer at Bear Run

812-659-7119

fcrowe@peabodyenergy.com

As we have discussed previously, Peabody is interested in obtaining as much information as it can regarding any complaints about dust or other issues at the mine. The mine has not received any dust complaints from any parties in the recent past. Any additional information that you could share regarding the substance of any recent complaints and the location or identity of concerned individuals would be useful in assisting the

Company in responding to any such complaints or other concerns.

Thank you.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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Bear Run QAPP as submitted June 1_2012.pdf



Letter to Kathleen Schneiders .pdf

EPA-R5-2014-007898-20

Sarah Marshall/R5/USEPA/US

07/12/2012 10:05 AM

To Jesse McGrath

cc

bcc

Subject Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

Hi Jesse,

Would you mind taking a look at this to make sure it is alright? I took a look and it seems ok but I can't say for sure since I don't have your expertise.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

----- Forwarded by Sarah Marshall/R5/USEPA/US on 07/12/2012 10:03 AM -----

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA
Date: 07/12/2012 09:59 AM
Subject: Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 07/12/2012 09:59 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: "Frontczak, Mary" <MFrontczak@peabodyenergy.com>
Date: 07/09/2012 07:02 PM
Subject: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

Pursuant to Section 3.0 of the approved Fugitive Dust Monitoring Plan for Peabody's Bear Run Mine, attached you will find a report documenting the start-up performance audit of the monitoring system installed at the site by Peabody. Please let me know if you have any questions regarding

this matter.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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information concerning this message. June 2012 Bear Run Audit Report.pdf

EPA-R5-2014-007898-21

Chad McEvoy/R5/USEPA/US

07/12/2012 01:20 PM

To: Jesse McGrath

cc: Sarah Marshall

bcc:

Subject: Re: Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

I scanned through the report, but not the appendices. I think their results look good.

Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

Jesse McGrath

I checked the first parts in detail and since it looked fine I scanned the...

07/12/2012 10:42:08 AM

From: Jesse McGrath/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA,
Cc: Chad McEvoy/R5/USEPA/US@EPA
Date: 07/12/2012 10:42 AM
Subject: Re: Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

I checked the first parts in detail and since it looked fine I scanned the rest for major things. It looks good, I'd say they pay closer attention than the people at Hoosier.

I didn't see anything where they check the clock though. That's fairly important, and simple to check.

Any other comments, Chad?

Sarah Marshall

Hi Jesse, Would you mind taking a look at this to make sure it is alright...

07/12/2012 10:05:48 AM

From: Sarah Marshall/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA,
Date: 07/12/2012 10:05 AM
Subject: Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

Hi Jesse,
Would you mind taking a look at this to make sure it is alright? I took a look and it seems ok but I can't say for sure since I don't have your expertise.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

----- Forwarded by Sarah Marshall/R5/USEPA/US on 07/12/2012 10:03 AM -----

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA
Date: 07/12/2012 09:59 AM
Subject: Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 07/12/2012 09:59 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: "Frontczak, Mary" <MFrontczak@peabodyenergy.com>
Date: 07/09/2012 07:02 PM
Subject: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

Pursuant to Section 3.0 of the approved Fugitive Dust Monitoring Plan for Peabody's Bear Run Mine, attached you will find a report documenting the start-up performance audit of the monitoring system installed at the site by Peabody. Please let me know if you have any questions regarding this matter.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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information concerning this message. June 2012 Bear Run Audit Report.pdf

EPA-R5-2014-007898-22

Kathleen Schnieders /R5/USEPA/US

08/04/2012 09:00 AM

To Sarah Marshall, Jesse McGrath, Chad McEvoy

cc

bcc

Subject Fw: Peabody Midwest Mining - Bear Run - Monthly Monitoring Report

first slug of data.

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

-----Forwarded by Kathleen Schnieders/R5/USEPA/US on 08/04/2012 08:59AM -----

To: Kathleen Schnieders/R5/USEPA/US@EPA

From: "Watson, John W" <John.Watson@bakermckenzie.com>

Date: 08/03/2012 06:28PM

Subject: Peabody Midwest Mining - Bear Run - Monthly Monitoring Report

(See attached file: Peabody Bear Run First Monitoring Month June 14 - July 13, 2012.pdf)

Se <<Letter to Kathleen Schneiders - August 3, 2012.pdf>> e monthly monitoring report for the Bear Run Mine.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
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john.watson@bakermckenzie.com

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Peabody Bear Run First Monitoring Month June 14 - July 13, 2012.pdf



Letter to Kathleen Schneiders - August 3, 2012.pdf

EPA-R5-2014-007898-23

Kathleen Schnieders /R5/USEPA/US

08/06/2012 10:19 AM

To Sarah Marshall, Jesse McGrath, Chad McEvoy

cc

bcc

Subject Fw: Peabody Midwest Mining - Bear Run - Monthly Monitoring Report

They left some attachments off the first message. I asked again about the trees.

-Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 08/06/2012 10:19 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Date: 08/06/2012 09:56 AM
Subject: FW: Peabody Midwest Mining - Bear Run - Monthly Monitoring Report

<<Letter to Kathleen Schneiders - August 3, 2012.pdf>>
See now the complete package. Call with questions.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell:+1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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-----Original Message-----

From: Watson, John W

Sent: Friday, August 03, 2012 6:28 PM
To: Kathleen Schnieders
Subject: Peabody Midwest Mining - Bear Run - Monthly Monitoring Report

See monthly monitoring report for the Bear Run Mine.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell:+1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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 Peabody Bear Run First Monitoring Month June 14 - July 13, 2012.pdf

 Bear Run Meteorological ReadMe.txt

 BR Met Data Jun14Jul13_2012.xls

 Bear Run PM10 concentrations June14-July13_2012.xls

 Letter to Kathleen Schneiders - August 3, 2012.pdf

EPA-R5-2014-007898-24

Sarah Marshall /R5/USEPA/US

09/04/2012 03:12 PM

To Jesse McGrath

cc Kathleen Schnieders

bcc

Subject Peabody

Hi Jesse,

Have you had a chance to look at the first set of data we received from Peabody? I want to sit down with you to go over it at some point soon. I took a quick look and thought that the reason the readings are low is because the wind wasn't directly coming from the active pit but didn't look at any of the details. If you are super busy, perhaps you could make sure I am looking at it correctly. I want to make sure the monitors are picking up dust coming from the active pit and are in the right place.

Thanks!

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

EPA-R5-2014-007898-25

Kathleen Schnieders /R5/USEPA/US

09/05/2012 09:04 AM

To Sarah Marshall, Jesse McGrath, Chad McEvoy

cc

bcc

Subject Fw: Peabody Midwest Mining - Bear Run - Clean Air Act Section 114 Dust Monitoring - Results of Second Month of Monitoring - July 14 - August 13

More for you to discuss!

-Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 09/05/2012 09:03 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: "Frontczak, Mary" <MFrontczak@peabodyenergy.com>
Date: 09/04/2012 05:14 PM
Subject: Peabody Midwest Mining - Bear Run - Clean Air Act Section 114 Dust Monitoring - Results of Second Month of Monitoring - July 14 - August 13

Kathleen,

Pursuant to the U.S. EPA approved Bear Run Fugitive Dust Monitoring Plan for the Peabody Midwest Mining LLC ("Peabody") Bear Run Mine located in Carlisle, Indiana, Peabody is submitting the attached results of the air monitoring conducted at the Mine for the second monthly monitoring period – July 14 to August 13, 2012.

The monthly monitoring report is comprised of the following attached files

The first is a PDF file containing the text of the July 14 - August 13, 2012 Monthly Data Summary.

The second is in an Excel file which lists the PM10 concentrations measured by the four samplers for the monitoring month.

The third is a readme.txt file. This file explains the information contained in the third file.

The fourth is an Excel file containing the meteorological data for the monitoring month.

Please let me know if you have any questions regarding this report

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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BR July 14 - Aug 13_2012 Monthly Summary as sent to EPA.pdf



Bear Run PM10 concentrations July14-August13_2012.xls



Bear Run Meteorological ReadMe.txt



BR_met data July14-August31_2012.xls

EPA-R5-2014-007898-26

Sarah Marshall /R5/USEPA/US

09/05/2012 02:11 PM

To Jesse McGrath

cc

bcc

Subject Countered: Peabody review

EPA-R5-2014-007898-27

Kathleen Schnieders /R5/USEPA/US

09/05/2012 02:38 PM

To Jesse McGrath

cc

bcc

Subject Accepted: Peabody review

EPA-R5-2014-007898-28

Sarah Marshall /R5/USEPA/US

09/06/2012 08:22 AM

To Jesse McGrath

cc

bcc

Subject Accepted: Peabody review

EPA-R5-2014-007898-29

Kathleen Schnieders /R5/USEPA/US

09/06/2012 09:03 AM

To Jesse McGrath

cc

bcc

Subject Accepted: Peabody review

EPA-R5-2014-007898-30

Chad McEvoy/R5/USEPA/US

09/07/2012 07:26 AM

To Jesse McGrath

cc

bcc

Subject Accepted:Peabody review

EPA-R5-2014-007898-31

Sarah Marshall /R5/USEPA/US

09/12/2012 08:58 AM

To Kathleen Schnieders

cc Jesse McGrath, Sarah Marshall

bcc

Subject Re: are we meeting in a specific place at 9 ?

I will set up a room for tomorrow.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Kathleen Schnieders

----- Kathleen Kelly Schnieders

09/12/2012 08:52:51 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA,
Date: 09/12/2012 08:52 AM
Subject: are we meeting in a specific place at 9 ?

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-32

Sarah Marshall /R5/USEPA/US

09/12/2012 09:00 AM

To Kathleen Schnieders

cc Jesse McGrath, Chad McEvoy

bcc

Subject Re: are we meeting in a specific place at 9 ?

I reserved 1713 for tomorrow at 9.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Kathleen Schnieders

----- Kathleen Kelly Schnieders

09/12/2012 08:52:51 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA,
Date: 09/12/2012 08:52 AM
Subject: are we meeting in a specific place at 9 ?

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-33

Kathleen Schnieders /R5/USEPA/US

09/12/2012 10:32 AM

To Sarah Marshall, Jesse McGrath

cc

bcc

Subject Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

more to chew on. . .

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 09/12/2012 10:31 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: "Frontczak, Mary" <MFrontczak@peabodyenergy.com>
Date: 09/12/2012 09:15 AM
Subject: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

Pursuant to Section 3.0 of the Fugitive Dust Monitoring Plan being implemented by Peabody Midwest Mining LLC at the Bear Run Mine, attached you will find the results of the performance audit of the air monitoring equipment conducted at the mid-point of the monitoring period. Please let me know if you have questions or wish to discuss.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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information concerning this message. August 2012 Bear Run Audit Report.pdf

EPA-R5-2014-007898-34

Kathleen Schnieders /R5/USEPA/US

09/12/2012 06:06 PM

To Sarah Marshall, Jesse McGrath

cc

bcc

Subject Fw: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

More items . . .

-Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

-----Forwarded by Kathleen Schnieders/R5/USEPA/US on 09/12/2012 06:06PM -----

To: Kathleen Schnieders/R5/USEPA/US@EPA

From: "Watson, John W" <John.Watson@bakermckenzie.com>

Date: 09/12/2012 09:15AM

Cc: "Frontczak, Mary" <MFrontczak@peabodyenergy.com>

Subject: Peabody Midwest Mining, LLC - Fugitive Dust Monitoring Plan

(See attached file: August 2012 Bear Run Audit Report.pdf)

Pursuant to Section 3.0 of the Fugitive Dust Monitoring Plan being implemented by Peabody Midwest Mining LLC at the Bear Run Mine, attached you will find the results of the performance audit of the air monitoring equipment conducted at the mid-point of the monitoring period. Please let me know if you have questions or wish to discuss.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

Our offices have moved. Please note our new address.

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message. August 2012 Bear Run Audit Report.pdf

EPA-R5-2014-007898-35

Sarah Marshall /R5/USEPA/US

09/13/2012 07:15 AM

To Jesse McGrath

cc Kathleen Schnieders

bcc

Subject Peabody meeting today

Hi Jesse,

Chad called me yesterday to let me know that you had been out all week. Are you in today? We can reschedule if you need to?

Thanks!

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

EPA-R5-2014-007898-36

Jesse McGrath /R5/USEPA/US

09/20/2012 08:35 AM

To Bilal Qazzaz

cc

bcc

Subject G:\Air Toxics And Assessment Branch\Air Monitoring and Analysis\Peabody

EPA-R5-2014-007898-37

Jesse McGrath /R5/USEPA/US

09/20/2012 08:41 AM

To Scott Hamilton

cc Chad McEvoy, Marta Fuoco, Basim Dihui, Bilal Qazzaz

bcc

Subject TSA at peabody

We would like to do a TSA at Peabody and we money from this year's travel to fund it. We had planned for Basim and Bi to go the week of Oct 15, but Bi, Chad, and Marta will be going to a training that week. Could you fill in for Bi?

The problem is that I think the TAs need to be in by the end of the day or we miss the funding. I think you're at a training today so maybe Bi will see you before it's too late!

EPA-R5-2014-007898-38

Kathleen Schnieders /R5/USEPA/US

10/01/2012 08:53 AM

To Sarah Marshall, Jesse McGrath, Chad McEvoy

cc

bcc

Subject Fw: Peabody Midwest Mining - Bear Run - Fugitive Dust Monitoring Results - Month 3
(August 14th - September 13th)

see below.

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 10/01/2012 08:52 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: <MFrontczak@peabodyenergy.com>
Date: 09/27/2012 03:17 PM
Subject: Peabody Midwest Mining - Bear Run - Fugitive Dust Monitoring Results - Month 3 (August 14th - September 13th)

Kathleen,

This email is being submitted on behalf of Peabody Midwest Mining ("PMM") to transmit the 3rd month of dust monitoring data collected by PMM at its Bear Run mine pursuant to the U.S. EPA Fugitive Dust Monitoring Plan prepared in response to the Agency's Clean Air Act Section 114 request for information. This email will also respond to recent questions raised by the Agency in response to your initial review of monitoring data for the first two months of monitoring as set forth in your emails of September 13th and 19th.

1. Response to U.S. EPA Comments

With respect to PMM's response to U.S. EPA's follow up questions on the monitoring performed to date, we have conferred with PMM's air consultant, McVehil-Monnett Associates, Inc. ("MMA"), and offer the following responses to your inquiries:

Potential Changes in Site Operations on or about July 8th: No changes in either the location of mining or the general procedures employed by PMM in its mining operations has occurred since commencement of the dust monitoring program in mid-June of this year. Importantly, as PMM's Bear Run representatives can attest (and as borne out by meteorological data already provided to the Agency), the worst of the severe (and ongoing) drought conditions experienced in and around the Bear Run mine and more generally across southern Indiana occurred in the May through early July time period. The met data provided by PMM in our prior monitoring reports shows that there was no measurable precipitation

recorded at Bear Run from start-up of dust monitoring on June 15th through July 8th. On July 8th, however, a significant storm event came through Bear Run bringing high winds and significant precipitation. Precipitation measured at Monitoring Site No. 3 was 0.67 inches between 1300 and 2000 EST on the 8th and varied across the mine during this rain event. After the July 8th event, the drought conditions, while still critical, have nonetheless eased somewhat. Again, the met data provided to U.S. EPA confirms these changing conditions and identified weather events and patterns.

Presence of Trees in the Vicinity of Monitoring Site No. 1: PMM has reviewed the Agency's questions about potential impacts associated with trees in the vicinity of Monitoring Site No. 1 and has confirmed the absence of any concerns with respect to this issue. As an initial proposition, it is worthy to note that U.S. EPA approved of the proposed location of each of the monitors installed by PMM in furtherance of the Agency requested monitoring. As explained in the Fugitive Dust Monitoring Plan, the locations of the monitors were intended to measure the worst case impacts to neighboring residences and were located in optimal positions recognizing the limits of PMM's ownership and control of property around the Bear Run mine. In choosing each monitoring site and subsequently preparing the sites for installation of the monitoring equipment, MMA took all necessary steps to ensure that the locations complied with all federal siting requirements found at 40 CFR Part 58, Appendix E. This work included the removal of several trees from Monitoring Site No. 1 (notably, over the objection of nearby residents). MMA took a very conservative approach to compliance with applicable siting requirements – in this case making sure that the drip lines of any trees to the west were at least 50 meters away from the sampling equipment – more than double the 20 meters required by the regulations.

The monitoring data itself supports the appropriateness of the monitoring site locations and the accuracy of the results. Monitoring Site No. 2 is only a third of a mile north of Site No. 1 and is devoid of trees. The results of monitoring at each location is, as expected, uniform and consistent. As such, the trees to the west of Monitoring Site No. 1 are having no impact on the quality of the data. Finally, as we have already discussed, while no changes are warranted, PMM does not control the trees to the west so cannot take any further action to alter or modify the Agency approved locations of its properly sited and installed monitors.

Request for Submittal of Hourly Data: As you know from my prior correspondence, PMM objected to the Section 114 request as being an unwarranted and inappropriate exercise of Agency authority that would impose substantial cost burdens on the Company. Notwithstanding strong legal and technical arguments in its favor and IDEM's shared view on the ill-conceived nature of this inquiry, PMM ultimately agreed to proceed with monitoring pursuant to a Fugitive Dust Monitoring Plan reviewed and approved by the Agency. As noted above, the Plan identified the location of monitoring sites – which U.S. EPA approved. The Plan also explained with specificity the data that would be provided to the Agency. See Plan at pages 19 and 20. In this case, because the Agency's purported concern has been with compliance with the PM NAAQS, which is a 24 hour standard, the Plan provided that PMM would submit daily values for monitored results of its sampling efforts.

To date, PMM has spent approximately \$500,000 on technical and monitoring costs to implement the Fugitive Dust Monitoring Plan. PMM is not interested in discussing issues now about the adequacy of monitoring locations or the sufficiency of the data submittals required under its Plan. In this case, the relevant data is 24 hour data which PMM has provided to the Agency as it said it would do in the Plan. All of the data confirms operations-wide compliance with NAAQSs. No justification exists for the additional time and effort associated with new requests of any kind beyond the scope of this already expensive project.

Concrete Rubble Around Monitoring Site No. 3: The pile noted around Monitoring Site No. 3 is large pieces of concrete rubble from a home foundation demolished during installation of this monitoring site. It is not gravel and any dust sized particles that may have been associated with this rubble have long since been dispersed. No rationale exists for additional action to cover this pile of debris. As we explained during our prior

discussions in response to the Agency's request for monitoring, ongoing farming activities and the presence of gravel and dirt roads represent continuing sources of measurable dust in and around the Bear Run mine community – especially when considered in the context of the severe drought conditions plaguing southern Indiana.

Maps/QAAP Issues: The Agency is correct that the large glossy map that was provided to the Agency as part of the submittal of the Fugitive Dust Monitoring Plan was somehow mislabeled. The exhibit included in the QAAP properly identifies Monitoring Site No. 1 as the southernmost location. This will confirm that all data has been reported to the Agency properly recognizing Monitoring Site No. 1 as this southernmost monitoring point. This email will also confirm that the QAAP has been modified to provide that filter blanks will be collected for 10% of the routine filter samples. Finally, consistent with U.S. EPA's Guidance for Quality Assurance Project Plans (EPA QA/G-5), chain-of-custody documentation efforts have and will continue to commence immediately upon the collection of samples and will trace possession from that point through analysis.

We trust that the above responses fully address U.S. EPA's follow up questions on PMM's implementation of the Fugitive Dust Monitoring Plan as requested by the Agency at the Bear Run mine. With the enclosed report for August/September monitoring, PMM has now completed three of the requested four months of dust monitoring at Bear Run. The conclusions that can be drawn from the data generated to date are unambiguous and clear – definitively confirming the absence of any PM NAAQS compliance issues associated with operations at the Bear Run mine. As noted in passing above and as discussed at length in our prior discussions, this entire effort has imposed and continues to impose substantial administrative burdens on the PMM and has been an exceedingly costly endeavor. PMM agreed to proceed with the monitoring with the express understanding that, when results were generated that support PMM's compliance with its Clean Air Act obligations, monitoring would cease and this matter would be promptly closed. PMM has fulfilled its obligations to the Agency and expects the Agency to honor its commitments upon receipt of the final results at the end of October.

2. Results of Month 3 of Fugitive Dust Monitoring

Attached you will find the results of the third month of dust monitoring under the Fugitive Dust Monitoring Plan. Consistent with our reporting in prior months, the attached files include the following:

- The first is a Pdf file of the Report.
- The second file contains the Report appendices.
- The third file is an Excel file which lists the PM10 concentrations measured by the four samplers for the monitoring month.
- The fourth file is a readme.txt file. This file explains the information contained in the fifth file.
- The fifth file is an Excel file containing the meteorological data for the monitoring month.

Please let me know if you have any additional questions regarding the monitoring results provided to date under the Fugitive Dust Monitoring Plan including the results of the latest month of dust sampling. We expect to submit our final report for the September/October monitoring period immediately upon completion of the sampling event with the hope of closing out this matter by the end of October.

John W. Watson
Partner
Baker & McKenzie LLP

300 E. Randolph Street, Suite 5000
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Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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Bear Run Meteorological ReadMe.txt



BR August 14 - Sept 13_2012 Monthly Summary-text as sent to client.doc



Bear Run PM10 concentrations August14-September13_2012.xls



Appendices A-E.pdf



BR_Hourly Met Data_Aug14-Sept13_2012.xls

EPA-R5-2014-007898-39

Jesse McGrath /R5/USEPA/US

10/05/2012 12:05 PM

To Michael Rizzo

cc

bcc

Subject G:\Air Toxics And Assessment Branch\Air Monitoring and Analysis\Peabody\charts

EPA-R5-2014-007898-40

Kathleen Schnieders /R5/USEPA/US

10/29/2012 09:08 AM

To Sarah Marshall, Jesse McGrath

cc

bcc

Subject Fw: Peabody Midwest Mining - Bear Run - Report on Final Month of Air Monitoring

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 10/29/2012 09:08 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: <MFrontczak@peabodyenergy.com>
Date: 10/26/2012 03:47 PM
Subject: Peabody Midwest Mining - Bear Run - Report on Final Month of Air Monitoring

Kathleen,

See attached correspondence documenting the results of the fourth and final month of air monitoring at Bear Run pursuant to the agreed upon Monitoring Plan and submittal of all remaining Plan deliverables. As indicated in the attached cover letter and consistent with our recent discussions, we are looking to coordinate scheduling the Plan close-out meeting in the immediate near term. I look forward to your response. Thank you.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
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Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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Peabody-Bear Run - Air Monitoring Results - October 2012.pdf

EPA-R5-2014-007898-41

Jesse McGrath /R5/USEPA/US

10/29/2012 09:11 AM

To Kathleen Schnieders

cc Sarah Marshall, Chad McEvoy

bcc

Subject Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Excellent.

Kathleen Schnieders

----- Kathleen Kelly Schnieders

10/29/2012 09:08:00 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA,
Date: 10/29/2012 09:08 AM
Subject: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 10/29/2012 09:07 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: <MFrontczak@peabodyenergy.com>
Date: 10/26/2012 04:00 PM
Subject: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Pursuant to our recent discussions, attached you will find the requested additional information on hourly monitoring over the four month monitoring period. Also attached is a memorandum providing additional explanation for ease of data review.

We have agreed to provide this additional information to U.S. EPA based on the Agency's commitment to proceed with the timely review of the requested documentation – the expectation being that we will be able to schedule the close-out call as contemplated in the Monitoring Plan within the next two weeks, schedules permitting. For its part, Peabody will make appropriate technical representatives available for this final call to discuss the results of the monitoring work and address any remaining Agency questions, but expects this meeting to represent the formal end point for this process.

Please contact me at your earliest convenience to schedule this call.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

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EPA-R5-2014-007898-42

Kathleen Schnieders /R5/USEPA/US

10/29/2012 09:31 AM

To Jesse McGrath

cc Sarah Marshall, Chad McEvoy

bcc

Subject Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

speaking of which, they want to get a call scheduled for us to talk about the data (as in they hope we will be satisfied). We are thinking about 11/14, 11/15 or 11/20. How do those dates look for you?

-Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

Jesse McGrath

Excellent. From: Kathleen Schnieders/R5/USEPA/US

10/29/2012 09:11:45 AM

From: Jesse McGrath/R5/USEPA/US
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: Sarah Marshall/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 10/29/2012 09:11 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Excellent.

Kathleen Schnieders

----- Kathleen Kelly Schnieders

10/29/2012 09:08:00 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA,
Date: 10/29/2012 09:08 AM
Subject: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 10/29/2012 09:07 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: <MFrontczak@peabodyenergy.com>
Date: 10/26/2012 04:00 PM
Subject: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

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Please contact me at your earliest convenience to schedule this call.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000
Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
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EPA-R5-2014-007898-43

Jesse McGrath/R5/USEPA/US

10/29/2012 09:33 AM

To Kathleen Schnieders

cc Sarah Marshall, Chad McEvoy

bcc

Subject Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

11-14 well still be in the field. 11-15 might be OK for me. 11-20 I might be out due to the holidays.

Also, did they send the met data for the most recent period?

Kathleen Schnieders speaking of which, they want to get a call scheduled for us to talk abo... 10/29/2012 09:31:16 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA,
Cc: Sarah Marshall/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 10/29/2012 09:31 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

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Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

Jesse McGrath Excellent. From: Kathleen Schnieders/R5/USEPA/US 10/29/2012 09:11:45 AM

From: Jesse McGrath/R5/USEPA/US
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: Sarah Marshall/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 10/29/2012 09:11 AM
Subject: Re: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

Excellent.

Kathleen Schnieders ----- Kathleen Kelly Schnieders 10/29/2012 09:08:00 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA,
Date: 10/29/2012 09:08 AM
Subject: Fw: Peabody Midwest Mining - Bear Run - Dust Monitoring Plan

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Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

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From: "Watson, John W" <John.Watson@bakermckenzie.com>
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Cc: <MFrontczak@peabodyenergy.com>
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EPA-R5-2014-007898-44

Kathleen Schnieders /R5/USEPA/US

10/29/2012 09:45 AM

To Jesse McGrath, Chad McEvoy

cc Sarah Marshall

bcc

Subject Fw: Peabody Midwest Mining - Bear Run - Report on Final Month of Air Monitoring

Isn't the met data included as an attachment to this letter?

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 10/29/2012 09:45 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: <MFrontczak@peabodyenergy.com>
Date: 10/26/2012 03:47 PM
Subject: Peabody Midwest Mining - Bear Run - Report on Final Month of Air Monitoring

Kathleen,

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John W. Watson
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Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
john.watson@bakermckenzie.com

Pursuant to requirements related to practice before the Internal Revenue Service, any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to another person any tax-related matter.

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message. Please visit www.bakermckenzie.com/disclaimers for other important information concerning this message.



Peabody-Bear Run - Air Monitoring Results - October 2012.pdf

EPA-R5-2014-007898-45

Kathleen Schnieders /R5/USEPA/US

11/01/2012 09:58 AM

To Jesse McGrath, Chad McEvoy

cc Sarah Marshall

bcc

Subject Fw: Peabody - Bear Run - Excel files

I think this is all that we sought, but please tell me if something is missing.

-Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

----- Forwarded by Kathleen Schnieders/R5/USEPA/US on 11/01/2012 09:57 AM -----

From: "Watson, John W" <John.Watson@bakermckenzie.com>
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Date: 11/01/2012 09:57 AM
Subject: Peabody - Bear Run - Excel files

I think the following excel files are responsive to your request of yesterday. In our last monthly monitoring report, I sent along this information as an additional appendix, but it was in pdf format. If this is not what you seek, call me to discuss. Thanks.

MMA description of attached files: Attached are three additional files to be included in the submittal to EPA Region V for the fourth monitoring month at the Bear Run Mine.

The first is an Excel file which lists the PM10 concentrations measured by the four samplers for the monitoring month.
The second is a readme.txt file. This file explains the information contained in the third file.
The third is an Excel file containing the meteorological data for the monitoring month.

John W. Watson
Partner
Baker & McKenzie LLP
300 E. Randolph Street, Suite 5000

Chicago, Illinois 60601, USA
Tel: +1 312 861 2646
Cell: +1 312 848 9474
Fax: +1 312 698 2969
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Bear Run Meteorological ReadMe.txt



BR Sept 14 - Oct 13_2012 Monthly Summary - as sent to client.pdf



Bear Run PM10 concentrations Sept14-Oct13_2012.xls



BR_met_Sept14-Oct13_2012.xls

EPA-R5-2014-007898-46

Kathleen Schnieders /R5/USEPA/US

11/07/2012 11:09 AM

To Chad McEvoy, Jesse McGrath, Sarah Marshall

cc

bcc

Subject call with Peabody about data

Meeting

Date 11/15/2012

Time 01:30:00 PM to 02:30:00 PM

Chair Kathleen Schnieders

Invitees

Required Chad McEvoy; Jesse McGrath; Sarah Marshall

Optional

FYI

Location

EPA-R5-2014-007898-47

Kathleen Schnieders /R5/USEPA/US

11/13/2012 07:03 AM

To Sarah Marshall, Jesse McGrath, Chad McEvoy

cc

bcc

Subject Agenda for Peabody call

Hi Peabody group - They have asked for an agenda from us of topics for our call tomorrow. I am on flexi, but thought either 1) Sarah organizing the technical team for a quick call, or 2) just a train of emails to get this together.

Thanks,

Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-48

Jesse McGrath /R5/USEPA/US

11/13/2012 07:31 AM

To Kathleen Schnieders

cc Sarah Marshall, Chad McEvoy

bcc

Subject Re: Agenda for Peabody call

I have this on my agenda for Thursday

Kathleen Schnieders

Hi Peabody group - They have asked for an agenda from us of topics f...

11/13/2012 07:03:43 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA,
Date: 11/13/2012 07:03 AM
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Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-49

Kathleen Schnieders /R5/USEPA/US

11/13/2012 07:36 AM

To Jesse McGrath

cc Chad McEvoy, Sarah Marshall

bcc

Subject Re: Agenda for Peabody call

whoops, my bad. Meant Thurs.

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

-----Jesse McGrath/R5/USEPA/US wrote: -----

To: Kathleen Schnieders/R5/USEPA/US@EPA

From: Jesse McGrath/R5/USEPA/US

Date: 11/13/2012 07:31AM

Cc: Sarah Marshall/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA

Subject: Re: Agenda for Peabody call

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Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-50

Sarah Marshall/R5/USEPA/US

11/13/2012 07:42 AM

To Jesse McGrath

cc Kathleen Schnieders, Chad McEvoy

bcc

Subject Re: Agenda for Peabody call

Jesse,

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Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

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Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-51

Chad McEvoy/R5/USEPA/US

11/13/2012 08:38 AM

To Sarah Marshall

cc Jesse McGrath, Kathleen Schnieders

bcc

Subject Re: Agenda for Peabody call

I'm available for a meeting tomorrow morning or Thursday morning.

Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

Sarah Marshall

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Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-52

Sarah Marshall /R5/USEPA/US

11/13/2012 09:30 AM

To Chad McEvoy

cc Jesse McGrath, Kathleen Schnieders

bcc

Subject Re: Agenda for Peabody call

Should we briefly meet first thing on Thursday morning to discuss our position?
I am available until 10:30 that morning.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Chad McEvoy

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From: Chad McEvoy/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA,
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Thanks,
Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5

312-353-8912

EPA-R5-2014-007898-53

Sarah Marshall /R5/USEPA/US

11/13/2012 09:33 AM

To Jesse McGrath

cc Chad McEvoy, Kathleen Schnieders

bcc

Subject Re: Agenda for Peabody call

That is fine also. I am trying to catch up on a few things from last week (I was out last wed-fri). Can we talk later this morning or this afternoon?

Sarah Marshall

Environmental Engineer

Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency, Region 5

312-886-6797

Jesse McGrath

I'll be done with this part in a minute and can talk about it today if you...

11/13/2012 09:31:56 AM

From: Jesse McGrath/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA,
Cc: Chad McEvoy/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA
Date: 11/13/2012 09:31 AM
Subject: Re: Agenda for Peabody call

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Sarah Marshall

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11/13/2012 09:30:13 AM

From: Sarah Marshall/R5/USEPA/US
To: Chad McEvoy/R5/USEPA/US@EPA,
Cc: Jesse McGrath/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA
Date: 11/13/2012 09:30 AM
Subject: Re: Agenda for Peabody call

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Sarah Marshall

Environmental Engineer

Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency, Region 5
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Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-54

Kathleen Schnieders /R5/USEPA/US

11/13/2012 09:36 AM

To Sarah Marshall

cc Chad McEvoy, Jesse McGrath

bcc

Subject Re: Agenda for Peabody call

That's fine with me, but they really want some agenda items ahead of time, so they can be sure to have right people on the line. Can we at least generate topic prior to Thurs?

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To: Chad McEvoy/R5/USEPA/US@EPA

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U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-55

Sarah Marshall/R5/USEPA/US

11/13/2012 09:54 AM

To Jesse McGrath

cc Kathleen Schnieders, Chad McEvoy

bcc

Subject Re: Agenda for Peabody call

How about we meet at 10:30 or 2:30? Then we can come up with an agenda for Kaki to send.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Jesse McGrath

Here are all the charts. I have meetings at 11 and 1:30 and am free th...

11/13/2012 09:39:23 AM

From: Jesse McGrath/R5/USEPA/US
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: Chad McEvoy/R5/USEPA/US@EPA, Sarah Marshall/R5/USEPA/US@EPA
Date: 11/13/2012 09:39 AM
Subject: Re: Agenda for Peabody call

Here are all the charts.

I have meetings at 11 and 1:30 and am free the rest of the day.

[attachment "latest.charts.zip" deleted by Sarah Marshall/R5/USEPA/US]

Kathleen Schnieders

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11/13/2012 09:36:25 AM

From: Kathleen Schnieders/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA,
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To: Sarah Marshall/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA,

Date: 11/13/2012 07:03 AM

Subject: Agenda for Peabody call

Hi Peabody group - They have asked for an agenda from us of topics for our call tomorrow. I am on flexi, but thought either 1) Sarah organizing the technical team for a quick call, or 2) just a train of emails to get this together.

Thanks,

Kaki

Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-56

Sarah Marshall /R5/USEPA/US

11/13/2012 09:58 AM

To Jesse McGrath

cc Kathleen Schnieders, Chad McEvoy

bcc

Subject Re: Agenda for Peabody call

which time is better?

Sarah Marshall

Environmental Engineer

Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency, Region 5

312-886-6797

Jesse McGrath

that works for me From: Sarah Marshall/R5/USEPA/US

11/13/2012 09:58:27 AM

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To: Sarah Marshall/R5/USEPA/US@EPA,
Cc: Kathleen Schnieders/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 11/13/2012 09:58 AM
Subject: Re: Agenda for Peabody call

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11/13/2012 09:54:20 AM

From: Sarah Marshall/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA,
Cc: Kathleen Schnieders/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
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Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency, Region 5

312-886-6797

Jesse McGrath

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11/13/2012 09:39:23 AM

From: Jesse McGrath/R5/USEPA/US
To: Kathleen Schnieders/R5/USEPA/US@EPA,
Cc: Chad McEvoy/R5/USEPA/US@EPA, Sarah Marshall/R5/USEPA/US@EPA
Date: 11/13/2012 09:39 AM
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[attachment "latest.charts.zip" deleted by Sarah Marshall/R5/USEPA/US]

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Cc: Chad McEvoy/R5/USEPA/US@EPA, Jesse McGrath/R5/USEPA/US@EPA
Date: 11/13/2012 09:36 AM
Subject: Re: Agenda for Peabody call

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Kathleen Kelly Schnieders
Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

-----Sarah Marshall/R5/USEPA/US wrote: -----

To: Chad McEvoy/R5/USEPA/US@EPA
From: Sarah Marshall/R5/USEPA/US

Date: 11/13/2012 09:30AM
Cc: Jesse McGrath/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA
Subject: Re: Agenda for Peabody call

Should we briefly meet first thing on Thursday morning to discuss our position?
I am available until 10:30 that morning.

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

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Chad McEvoy
Air & Radiation Division
Air Monitoring & Analysis Section
US EPA Region 5
(312) 886-6084

Sarah Marshall---11/13/2012 07:42:09 AM---Jesse, Did you send around anything on the hourly? I am sorry if you sent it and I missed it. I am

From: Sarah Marshall/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA,
Cc: Kathleen Schnieders/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 11/13/2012 07:42 AM

Subject: Re: Agenda for Peabody call

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Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

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Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-57

Sarah Marshall /R5/USEPA/US

11/13/2012 10:18 AM

To Chad McEvoy, Jesse McGrath

cc

bcc

Subject Invitation: Peabody discussion (Nov 13 10:30 AM CST in R1818/R5 Metcalfe - 18th Floor@EPA)

EPA-R5-2014-007898-58

Sarah Marshall /R5/USEPA/US

11/13/2012 10:18 AM

To Chad McEvoy, Jesse McGrath

cc

bcc

Subject Cancelled: Peabody discussion

EPA-R5-2014-007898-59

Sarah Marshall /R5/USEPA/US

11/13/2012 10:18 AM

To Jesse McGrath

cc

bcc

Subject Accepted: Re: Agenda for Peabody call

EPA-R5-2014-007898-60

Chad McEvoy/R5/USEPA/US

11/13/2012 10:18 AM

To Jesse McGrath

cc

bcc

Subject Accepted: Re: Agenda for Peabody call

EPA-R5-2014-007898-61

Sarah Marshall /R5/USEPA/US

11/13/2012 10:19 AM

To Jesse McGrath

cc Kathleen Schnieders, Chad McEvoy

bcc

Subject Re: Agenda for Peabody call

Let's use your reservation

Sarah Marshall
Environmental Engineer
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
312-886-6797

Jesse McGrath

I just talked to Chad and 10:30 is better for us both. From: Sarah Mars...

11/13/2012 10:16:56 AM

From: Jesse McGrath/R5/USEPA/US
To: Sarah Marshall/R5/USEPA/US@EPA,
Cc: Kathleen Schnieders/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
Date: 11/13/2012 10:16 AM
Subject: Re: Agenda for Peabody call

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Sarah Marshall

which time is better? Sarah Marshall Environmental Engineer

11/13/2012 09:58:59 AM

From: Sarah Marshall/R5/USEPA/US
To: Jesse McGrath/R5/USEPA/US@EPA,
Cc: Kathleen Schnieders/R5/USEPA/US@EPA, Chad McEvoy/R5/USEPA/US@EPA
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To: Chad McEvoy/R5/USEPA/US@EPA
From: Sarah Marshall/R5/USEPA/US
Date: 11/13/2012 09:30AM
Cc: Jesse McGrath/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA
Subject: Re: Agenda for Peabody call

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Associate Regional Counsel
U.S. EPA Region 5
312-353-8912

EPA-R5-2014-007898-62

Kathleen Schnieders /R5/USEPA/US

11/15/2012 09:50 AM

To Chad McEvoy, Jesse McGrath, Sarah Marshall

cc

bcc

Subject Information Update - Room has changed: call with Peabody about data